Case Docket No.: DB 01-08

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of FRASER, A. et al.

Serial No.: Unassigned
(PCT WO/GB 00/01001)
Filed: September 18, 2001

For: APPARATUS FOR HOLDING A COMPACT DISK

Group Art Unit: Unassigned

Examiner: Unassigned

Date: September 18, 2001

PRELIMINARY AMENDMENT AND PRIORITY CLAIM UNDER 35 U.S.C. § 371

Honorable Assistant Commissioner for Patents
Washington D.C. 20231

Sir:

CLAIM OF FOREIGN PRIORITY

The accompanying newly filed application is a national stage application filed under 35 U.S.C. § 371 relating to and claiming priority of Application No. PCT WO/GB 00/01001, filed under the Patent Cooperation Treaty (PCT). Applicants hereby claim a right of priority as provided in 35 U.S.C. § 119. A copy of the PCT application, Request for Examination, International Search Report with associated references an d the Preliminary Examination Report are enclosed.

CERTIFICATE OF DEPOSIT

I hereby certify that this paper is being deposited by personal delivery in the United States Patent and Trademark Office in an envelope addressed to: Assistant Commissioner for Patents, Washington D.C. 20231, on

September 18, 2001
Date of Deposit

Deana L. Larsen
Signature

9/18/2001
Date of Signature

PRELIMINARY AMENDMENT

Prior to examination, Applicants respectfully request entry and consideration of the following amendments to the claims. A clean copy of these amended claims and all original claims not canceled is provided in the accompanying attachment.

IN THE CLAIMS:

Please amend claims 1-9, 12-16 and 20-22 as follows:

1. Apparatus for holding a compact disk having a central hole, the apparatus comprising: a base portion; at least one inwardly extending radial arm resiliently cantilevered from the base portion; disk-engaging means at the inner end of the said at least one arm for releasably engaging the central hole of the disk and supporting the centre of the disk away from the base portion; the or each arm having first pivot means in the region where it joins the base portion and second pivot means radially inward of the first pivot means; the arrangement being such that depression of the disk-engaging means towards the base portion causes the inner end of the said at least one arm, and at least a central portion of the disk, to be depressed towards the base portion, the [arm] disk-engaging means initially pivoting about the first pivot means and subsequently pivoting about the second pivot means until inward movement of the disk-engaging means is sufficient to releaser retention of the disk by the disk-engaging means [is released].

2. Apparatus as claimed in Claim 1 in which the second pivot means comprises a projection on the underside of the [, or each,] at least one radial arm.

3. Apparatus as claimed in claim 2 in which the projection comprises a ridge extending laterally across the underside of the [, or each,] at least one radial arm.

4. Apparatus as claimed in claim 2 [or 3] in which the projection projects from the underside of the[, or each,] at least one radial arm by a distance of 0.5-1.0 mm.

5. Apparatus as claimed in [any preceding] claim 1 in which the second pivot means is at least [3 mm, and preferably at least] 5 mm [,] radially inward of the first pivot means.

6. Apparatus as claimed in Claim 1 [, 2 or 3] in which the disk-engaging means comprises projections [, or lips,] for engaging the upper surface of a disk held thereon.

7. Apparatus as claimed in claim 6 in which the projections [, or lips,] are arranged so as to overlap the upper surface or a disk held thereon by a distance in the range of 0.2 to 0.5 mm.

8. Apparatus as claimed in [any preceding] claim 1 in which the first pivot means of the [or each] at least one radial arm is at a distance from the centre of the apparatus of [15 mm or less, and preferably] 13 mm or less.

9. Apparatus as claimed in [any preceding claims] claim 1 comprising two or three radial arms.

Claims 10-11 are unchanged.

12. Apparatus as claimed in [any preceding] claim 1 arranged such that further depression of the disk-engaging means following pivoting about the second pivot means causes the base portion to flex so that radially outer portions thereof rise relative to a central area thereof and so assist in lifting the disk away from the disk-engaging means.

13. Apparatus as claimed in [any preceding] claim 1 in which a central area of the base portion is thinner than radially outer portions thereof to enable the centre of the disk to be depressed further.

14. Apparatus as claimed in [any preceding] claim 1 comprising a peripheral support for supporting the periphery of a disk when the disk-engaging means is initially depressed,

whereby further depression of the disk-engaging means, and hence of a central area of the disk, causes the centre of the disk to be flexed toward the base portion.

15. Apparatus as claimed in [any preceding] claim 1 comprising an upstand provided on the base for surrounding, or partially surrounding, the periphery of a disk held thereon so as to inhibit access to the edge of the disk by a user's finger until the disk has been released from the disk-engaging means.

16. Apparatus as claimed in [any preceding] claim 1 formed of plastics material.

Claims 17-19 are unchanged.

20. Apparatus for holding a compact disk having a central hole, the apparatus comprising a base portion; at least two inwardly extending radial arms resiliently cantilevered from the base portion; and disk engaging means provided at the inner end of the arms for releasably engaging the central hole of the disk [and supporting the centre of the disk away from the base portion], the arrangement being such that the depression of the disk engaging means about a fulcrum towards the base portion causes the inner ends of the arms, and at least a central portion of the disk to be depressed towards the base portion [until retention of the disk by the disk-engaging means is released, and the base portion to flex such that the radially outer portions thereof are raised relative to a central area thereof so that the radially outer portions engage the periphery of the disk and assist in lifting the disk away from the disk engaging means] and causes portions of the arms and/or the base portion radially outward of the fulcrum to lift the disk until retention of the disk by the disk-engaging means is released.

21. Apparatus as claimed in claim 20 in which [said flexing] upward movement of the radially outward portions of the base portion is enhanced by forming each [of] radial arm so that it joins the base portion at a pivot point which is arranged such that depression of the arm tends to cause radially outer portions of the base portion to rise rather than just flexing the arm relative to the base portion.

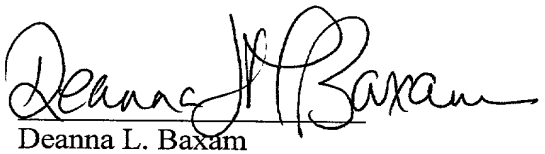
22. Apparatus for holding a compact disk having a central hole, the apparatus comprising: a base portion; at least one inwardly extending radial arm resiliently cantilevered from the base portion; and disk-engaging means at the inner end of the said at least one arm for releasably engaging the central hole of the disk, the arrangement of the base portion, radial arm and disk-engaging means being such that the thickness of the apparatus from the top of the disk-engaging means to the underside of the base portion is 4 mm or less.

23. Apparatus as claimed in claim 22 mounted within a cover, in which the overall thickness, including the thickness of the cover, is 4 mm or less.

Cancel claim 24.

No additional fees other than the enclosed filing fees are believed to be due in connection with this filing. Should any underpayment or overpayment of the required fees be determined for this filing, please credit any such overpayment or charge any additional fees to Deposit Account No. **23-1160**.

Respectfully submitted,



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CLAIMS
(Original and Amended)

1. (Amended) Apparatus for holding a compact disk having a central hole, the apparatus comprising: a base portion; at least one inwardly extending radial arm resiliently cantilevered from the base portion; disk-engaging means at the inner end of the said at least one arm for releasably engaging the central hole of the disk and supporting the centre of the disk away from the base portion; the or each arm having first pivot means in the region where it joins the base portion and second pivot means radially inward of the first pivot means; the arrangement being such that depression of the disk-engaging means towards the base portion causes the inner end of the said at least one arm, and at least a central portion of the disk, to be depressed towards the base portion, the disk-engaging means initially pivoting about the first pivot means and subsequently pivoting about the second pivot means until inward movement of the disk-engaging means is sufficient to releaser retention of the disk by the disk-engaging means.

2. (Amended) Apparatus as claimed in Claim 1 in which the second pivot means comprises a projection on the underside of the at least one radial arm.

3. (Amended) Apparatus as claimed in claim 2 in which the projection comprises a ridge extending laterally across the underside of the at least one radial arm.

4. (Amended) Apparatus as claimed in claim 2 in which the projection projects from the underside of the at least one radial arm by a distance of 0.5-1.0 mm.

5. (Amended) Apparatus as claimed in claim 1 in which the second pivot means is at least 5 mm radially inward of the first pivot means.

6. (Amended) Apparatus as claimed in Claim 1 in which the disk-engaging means comprises projections for engaging the upper surface of a disk held thereon.

7. (Amended) Apparatus as claimed in claim 6 in which the projections are arranged so as to overlap the upper surface or a disk held thereon by a distance in the range of 0.2 to 0.5 mm.

8. (Amended) Apparatus as claimed in claim 1 in which the first pivot means of the at least one radial arm is at a distance from the centre of the apparatus of 13 mm or less.

9. (Amended) Apparatus as claimed in claim 1 comprising two or three radial arms.

10. (Original) Apparatus as claimed in claim 9 in which the inner ends of the arms form a button-like member for depression by a user's finger.

11. (Original) Apparatus as claimed in claim 10 in which each arm has a portion of the button-like member provided at its inner end, the portions being interconnected.

12. (Amended) Apparatus as claimed in claim 1 arranged such that further depression of the disk-engaging means following pivoting about the second pivot means causes the base portion to flex so that radially outer portions thereof rise relative to a central area thereof and so assist in lifting the disk away from the disk-engaging means.

13. Apparatus as claimed in [any preceding] claim 1 in which a central area of the base portion is thinner than radially outer portions thereof to enable the centre of the disk to be depressed further.

14. (Amended) Apparatus as claimed in claim 1 comprising a peripheral support for supporting the periphery of a disk when the disk-engaging means is initially depressed, whereby further depression of the disk-engaging means, and hence of a central area of the disk, causes the centre of the disk to be flexed toward the base portion.

15. (Amended) Apparatus as claimed in claim 1 comprising an upstand provided on the base for surrounding, or partially surrounding, the periphery of a disk held thereon so as to

inhibit access to the edge of the disk by a user's finger until the disk has been released from the disk-engaging means.

16. Apparatus as claimed in claim 1 formed of plastics material.

17. (Original) Apparatus as claimed in claim 16 arranged to enable it to be formed by a one-shot injection moulding process.

18. (Original) Apparatus as claimed in claim 16 integrally formed as part of a container.

19. (Original) Apparatus as claimed in claim 17 formed as a tray for providing with a cover or insertion into a container.

20. (Amended) Apparatus for holding a compact disk having a central hole, the apparatus comprising a base portion; at least two inwardly extending radial arms resiliently cantilevered from the base portion; and disk engaging means provided at the inner end of the arms for releasably engaging the central hole of the disk, the arrangement being such that the depression of the disk engaging means about a fulcrum towards the base portion causes the inner ends of the arms, and at least a central portion of the disk to be depressed towards the base portion and causes portions of the arms and/or the base portion radially outward of the fulcrum to lift the disk until retention of the disk by the disk-engaging means is released.

21. (Amended) Apparatus as claimed in claim 20 in which upward movement of the radially outward portions of the base portion is enhanced by forming each [of] radial arm so that it joins the base portion at a pivot point which is arranged such that depression of the arm tends to cause radially outer portions of the base portion to rise rather than just flexing the arm relative to the base portion.

22. (Amended) Apparatus for holding a compact disk having a central hole, the apparatus comprising: a base portion; at least one inwardly extending radial arm resiliently

cantilevered from the base portion; and disk-engaging means at the inner end of the said at least one arm for releasably engaging the central hole of the disk, the arrangement of the base portion, radial arm and disk-engaging means being such that the thickness of the apparatus from the top of the disk-engaging means to the underside of the base portion is 4 mm or less.

23. (Original) Apparatus as claimed in claim 22 mounted within a cover, in which the overall thickness, including the thickness of the cover, is 4 mm or less.

Cancel claim 24.